

Reasons For Allowance

The terminal disclaimer filed on July 29, 2009, disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. 6,660,722 B2 (Application No. 09/999,202) has been reviewed and is accepted. The terminal disclaimer has been recorded.

Therefore, the obviousness-type double patenting rejections of Claims 23-34 as being unpatentable over Claims 1-11 of U.S. 6,660,722 B2, of record stated in the Office Action dated April 30, 2009 are withdrawn.

The following is an examiner's statement of reasons for allowance: The examiner has found claims 23-34 to be unobvious over the prior art of record and therefore to be allowable over the prior art of record. The present invention relates to a method to promote the regeneration of the cells in the bone marrow and the peripheral blood of a patient subjected to a chemotherapeutic antineoplastic treatment comprising administration to said patient of an effective amount of an antineoplastic agent that causes an acute reduction of said cells, said method comprising administration of laminarin to the patient in an amount effective to cause promotion of the regeneration of the cells, the laminarin being administered in conjunction with the administration of the antineoplastic agent, wherein said laminarin; has a molecular weight from about 2,500 to about 6,000, and consists essentially of a main linear chain of 15 to 35 glucopyranose units joined by β -(1,3) linkages optionally branched with glucopyranose units linked to the main chain by β -(1,6) linkages, the terminal unit of the main chain being selected

from the group consisting of glucose and mannitol. The method of the present invention is not taught or suggested in the prior art, nor is it obvious over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Henry whose telephone number is 571-272-0652. The examiner can normally be reached on 8.30am-5pm; Mon-Fri. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia A. Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael C. Henry
October 20, 2009.

/Shaojia Anna Jiang/
Supervisory Patent Examiner
Art Unit 1623